

PAUL BERRY,)	
)	
Plaintiffs,)	
)	Case No. 4:08CV776 HEA
vs.)	
)	
)	
JERRY COX, d/b/a COX BAIL)	
BONDS,)	
)	
Defendant.)	

This matter is before the Court on Plaintiff's Motion to Substitute Deceased Party, [Doc. No. 43]. In response to the Motion, counsel for Defendant has stated to the Court that Defendant Cox, through his Last Will and Testament transferred all assets at the time of his death to his wife and children, and that there will be no estate opened for the deceased Defendant. Counsel has not, however, provided the Court with any affidavits to that effect, or a certified copy of Decedent's Last Will and Testament. The Court, therefore is unable to ascertain the viability of pursuing this matter with a substituted defendant.

IT IS HEREBY ORDERED that counsel for Defendant shall, within 10 days from the date of this Order, submit to the Court sufficient documentation to

establish the representations provided by counsel in his response to the Motion to Substitute.

Dated this 4th day of November, 2010.

A handwritten signature in cursive script, reading "Henry Edward Autrey", written in black ink.

HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE